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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,535	12/04/2003	Eung Min Park	0630-1874P	5940

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EXAMINER

MORRISON, THOMAS A

ART UNIT	PAPER NUMBER
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3653

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/726,535

Applicant(s)

PARK, EUNG MIN

Examiner

Thomas A. Morrison

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show a discharge belt **102** as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1 and its dependent claims 2-9, it is unclear where the predetermined gaps are located as claimed in claim 1. Are the predetermined gaps located between the second separating rollers? Are the predetermined gaps located between the second separating rollers and the conveying rollers?

Also, it is unclear in claim 1 what is meant by the recited second separating rollers arranged to **face the conveying rollers**. Each roller has an outer periphery that goes 360 degrees around each roller, such that each roller can face outward in any direction around the periphery. Also, each roller has side faces, which are perpendicular to the outer periphery. As such, the recited limitation is unclear.

Regarding claim 2, it is unclear where the predetermined intervals are located. In particular, it is unclear whether the predetermined intervals are located (1) between the conveying rollers and the first separating rollers and also located between the conveying rollers and the second separating rollers; or (2) located between the conveying rollers and the first separating rollers, and located between the conveying rollers and the second separating rollers, and also located between the first and second separating rollers.

Regarding claim 3, it is unclear where the predetermined gaps are located. Are the gaps located between the second conveying rollers and the second separating rollers?

Claim 6 recites the limitation "the shaft" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Regarding claim 8, it is unclear what is meant by the recited "normal stiffness" and the recited "low stiffness".

Regarding claim 9, it is unclear what is meant by the recited "low stiffness" and the recited "01. and 02mm".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 3-4, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by European Publication No. GB2132737. In particular, European Publication No. GB2132737 discloses all of the limitations of claims 1 and 3-4.

Regarding claim 1, Figs. 1-4 and 7 show a media pick-up device of a media dispenser, including

a plurality of conveying rollers (7a, 7b, 7c) rotated by a driving force of a driving means (see Fig. 3 and page 5, lines 44-50), for conveying media,

first separating rollers (6a, 6b) arranged with predetermined overlaps to the conveying rollers (7a, 7b, 7c), for separating the media one by one (e.g., from a stack); and

second separating rollers (17a, 17b) arranged to face the conveying rollers (7a, 7b, 7c) with predetermined gaps (Fig. 7), for generating a frictional force to the media.

Regarding claim 3, Fig. 3 shows that the conveying rollers (7a, 7b, 7c) comprise first conveying rollers (i.e., 3 first conveying rollers formed on the outer surface of 7c, and 3 conveying rollers formed on the outer surface of 7a, as shown in the crosshatched areas of Fig. 3). These first conveying rollers are arranged with predetermined overlaps to the first separating rollers (6a, 6b), as shown in Figs. 3 and 7. Also, there are second conveying rollers (i.e., 2 second conveying rollers formed on the outer surface of 7b, as shown in the crosshatched area of Fig. 3). In addition, Fig. 7 clarifies that these second conveying rollers are arranged to face the second separating rollers (17a, 17b) with predetermined gaps.

Regarding claim 4, Fig. 3 shows that the second conveying rollers (i.e., 2 rollers formed on the outer surface of 7b) are arranged between the first conveying rollers (i.e., the 3 rollers formed on the outer surface of 7a and the three rollers formed on the outer surface of 7c) at predetermined intervals.


Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is 571-272-7221. The examiner can normally be reached on 8am - 5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh can be reached on 571-272-6944. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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